The rashness, carelessness and inaccuracy with which the Advertiser hurries up facts and deals out opinions, would be amusing enough did not the frequency mar the enjoyment. A rumor, a report, a professional a-hem, a street banter, are quite enough to start its editorial wagon, and away it drives over facts and truths, jolting along at a fearful, rumbling pace, bound to carry its express through though every letter be spilt by its careles driving.

It needs not many words to say that the latest instance of our neighbor's jockey propensities in the judicial line is its editorial of this week upon the case of C. C. Harris vs. W. Goodale, Collector General of Customs.

With the merits of the case we will not now weary our readers by a repetition; they are sometimes quite independent of its legal aspect and judicial finale. The Advertiser, as usual, has mistaken " the main point at issue." " As we understand it," the question was not "whether the Collector had the right to insist on the appearance of the importer to make entry of goods," but whether the importer had the right to put forward a man of straw to make his entry. This the Collector resisted, but he probably resisted too long saying, that "whatsoever ye do unto one of these little when he refused to accept of a responsible party, who subsequently undertook to act as broker or agent in the case. The perception of " the main point" being wrong, the narration of details is wrong also, and tinged with that greenish hue peculiar to that journal, especially when Government officials are under the harrrow.

The Advertiser would have the community to think that the Collector has no discretion as to whose oath he will, or will not, take to an entry of goods, and fortifies its inference by saying that in San Francisco nearly all the entrances and clearances at the Customs are made through a broker." But the Advertiser, with its usual happy knack of swamping the truth, forgets to state that such bro- We understand that a considerable quantity of the kers in San Francisco are known at the Custom former Hawaiian cents was bought to furnish specimens House and obliged to take out a license and deposit of lava incrustations. Tents, warm clothing and small a bond before acting for others.

the Advertiser should know more of the steps to be the volcano. taken to redress a wrong than the professional lawyer who sued out the mandamus, than the Court who granted it, than the Minister of Finance or the Commissioners of Customs whose prerogatives it would have us believe to have been invaded, is an assumption which no one will swallow, even with the grain of salt generally needed to sweeten its statements. The Advertiser, may believe us, for we have consulted the proper authorities-a thing it is not generally guilty of-that when an officer's duty is prescribed by law, the Court has power to compel its performance, and that a writ of mandamus would bring the Minister of Finance to its bar just as quick as his lowest subordinate.

that the Courts in San Francisco had finally given judgment in the Martin Gallagher vs. the bark Yankee case, mulcting Capt. Smith of the Yankee, in \$3,000. We quote from the Herald :

DECISION IN THE BARK YANKEE CASE .- Judge Hoffman yesterday filed his opinion in the case of Martin Gallagher es, the bark Yeaker, and James Smith, its commander. The libellant is awarded \$3,000 damages, for having been unlawfully deported from this city to the Sandwich Islands, in the year 1856. Capt. Smith carried out the decree of banishment passed upon Mar-Gallagher by the Vigilance Committee, and thus left himself amenable to the laws of the land for disregarding the rights of citizens. Judge Hoffman states in his opinion, that although Capt. Smith is not liable for all the damage suffered by libelis yet there is no justification for his act in transporting citizens from their country under the decree of an unlawful organization known as a Vigilance Committee, Judge Hoffman also holds show that Gallagher was a man of bad character.

Were we to give our whole, unbiassed opinion of this unrighteous suit, from its inception to its ending, it might ease our mind, but would not alter the result. Was there not a respectable, responsible member of the Vigilance Committee left in California on whom to try the issue, rather than to pounce on a stranger? Why shirk the contest with the strong usurper (if such he | The mistake was ours, and we thus correct it. was) and vent your spite on his servants, or those whom he compelled to serve him? Our people, this side of the water, would not call such conduct either | the charter at an early day next week. manly or honorable. We should think, however, that the San Francisco members of the Vigilance Committee will not fail to back up Capt. Smith, either in paying or appealing.

THE PAST WEEK.

The Knhili.

The presentation of this splendid present by the native children of foreign extruction, to the Prince of Hawaii, intended for Wednesday last, was unavoidably postponed on account of the illness of His Majesty. No day has yet been fixed for the presentation, His Majesty wishing to be present in person on the occa-

The Liquor Question ugain.

" By referring to the minutes of the House of Representatives for Friday, Jan. 28, it will be seen that the Honorable Commissioner of the United States and the Acting Consul General of Great Britain have addressed the Foreign Office with a view of calling the attention of this Government to the inequality of the liquor duties upon English and American manufactured liquor on one side and French manufactured liquor on the other. They contend that the system now pursued, of imposing an equally high duty on the low priced American and English liquors as on the high priced French Brandies, is contrary to the parity clause of the treaties of their respective countries. The Minister of Foreign Relations was instructed to bring the subject before the Legislature now in session ; and we do sincerely wish, for the sake of peace and a quiet life, that the Honora-

of the French embroglio by reducing the duty on bran- ped in the water the day before they were found; the dy to \$8 per gallon. Now American whisky and Eng- articles of which we speak, could not have been delish gin are bound to have their day, and when their posited there since the last eruption of Punch Bowl interests have been satisfied, it will be time for the hill, on account of the intervening stratum of lava un-French to move again, unless we block the game now der which they were found. Shallow by necessity, and forever by going back to first principles and re flippant by choice, the Advertiser confounded the pres-

The Law of Affinities.

The Missionary Brig. Morning Star.

About two years ago the serious minded portion of the world was delighted to learn that this packet, "built to order," was about to set'sail for its distant and perilous mission. While prayers ascended, and praises were sung, ten cent pieces descended and the ingling of the children's mite might have been heard from "Iceland's greasy mountains to Ebon's coral isles." That the possession of this vessel has been a God-send to the missionary cause in the North Pacific is undeniable; but alas for the credit of the builder. the care of the committee and the incestment of the little shareholders! Repairs followed repairs until now -at the advanced age of two years-her timbers are rotten as punk, and, as she lays at the wharf, stripped of her upper planking, it is a subject of wonder and thankfulness that ever she arrived safe back again. A survey on the brig was held on Thursday morning and the report is that she will be sold.

We would not judge, "lest we be judged," we will therefore use no harsher word than carelessness or neggence; but these are shamefully patent.

The thoughtless sneer about the entente cordiale beween the Bible and the yard-stick has hardly had ime to be lived down by larger views and greater exserience, ere this untoward affair turns up to set idle ongues a wagging with a sweeping accusation of bad faith, worse jobbing and a heartless sell of the little

We have no explanation to make; but those who may attempt an explanation we would remind of His ones, that do ye also unto me."

The Volcano.

As yet no one visitor has returned from the Hawaiian elephant, to describe its grandeur and recount its paces. Meanwhile the desire to go and witness the greatest earthly phenomenon this side of the resurrection day has taken hold of the public mind. At first, perhaps, the smoke got into people's eyes and for a day or two the schooner Ka Moi, failed to make up a compliment of passengers at \$25 the trip ; but the schooner Kisoole, having started on Tuesday, with some twenty students and all the faculties of Oahu College, the Ka Moi followed on Wednesday with 8 passengers from Honolulu, and 8 to 10 to be taken from Lahaina. stores were not neglected-(unfortunately porter is The reflections which our worthy cotemporary scarce in the market just now) - and we were told that throws upon the Court, as having no jurisdiction in there would be plenty of juckasses, mules and horses in the matter, are neither correct nor deserved. That Kona to convey the sight-seekers over the climpers to

Attention Chinamen.

The Supreme Court of California has declared the Act of the Legislature of said State, passed last year, and prohibiting the immigration of Chinese and Mongolians into the State-to be unconstitutional and void. We thought and said so at the time of its passage. But whether it was or not, it certainly was contrary to the treaties of the United States, and we rejoice in the action of the Supreme Court.

We understand that the 26th of April next has been set apart by the R. W. Grand Lodge of the I. O. of O. F. of the United States, it being the 40th anniversary of the institution of the Order in that country, as a special day of thanksgiving and rejoicing for We read with more regret than surprise the prosperity and progress of the Order. The Lodges and Encampments of the Order in this place intend, we learn, to celebrate the day by laying the corner stone of an Odd Fellows Hall and by an entertainment in the evening.

The Terrapin Express.

If the Advertiser wishes to know what a "Terrapin Express' looks like, it can step down to the market wharf and take a look at the machine just landed from the Modern Times and intended for the removal of brick houses or other buildings. It is imported and owned by C. H. Lewers Esq., and, at the rate that owners and builders have been tossing houses about lately, from Dan to Beersheba, will prove a valuable acquisi-

Correction.

In our last we said that Mr. Tiffany was the gent of " the San Francisco Gas Company " &c., we should have said the "Pacific Gas Company &c."

Apropos. We believe that the Legislature will take action on the application for the extension of time in

A Prospect.

We rejoice to see that the House of Representatives has at last admitted, by the increased speed of their setions, that "time is money," and to Mr. Hollister, the member for Waimea, Kauai, is due all credit for having made his Honorable colleagues sensible of that fact. There is now a prospect of this session ending before the next one begins.

Excursions.

From one of these eloque nt, pink colored, illustrated handbills of the day, which seem to be the special fugle men of the cheap literature of the age, we learn that the schooner Kalama will start for Hilo to-day "if sufficient inducement offers." There being always two sides to a story, there may also be two sides from which to see the eruption of the volcano.

The Liholiho is expected daily from Hilo and will afford another opportunity to those who fear being too crowded in the Kalama.

That is Right.

We learn that the Police Magistrate of Honolulu has made it a rule of his Court not to issue a warrant for the arrest of a seaman indebted ashore, unless the party suing out the warrant gives satisfactory proof to the Magistrate that such seaman is legally indebted, i. e., has been discharged over 60 days, as the law pre-

The Advertiser in the Mud. The Advertiser takes us to task for supposing that the stone adzes, found beneath the lava at the foot of ble Representatives will look this subject straight in the the Esplanade, date back to "the time of the nightface, without squinting at any side issues, and once for born Gods." It thinks that similar adzes "were all put the liquor duties on such a basis that they may brought up by the mud-digger some eighteen months never more disturb the internal or external relations of or more" ago. As usual, the Advertiser's facts are incontrovertible, bating a slight variation from truth. We thought that we had successfully laid the ghost. The articles of which it speaks might have been dropder which they were found. Shallow by necessity, flippant by choice, the Advertiser confounded the present bottom of the harbor with that of—say 1500 years ago, or—will it tell us when the last lava-flow took place in the vicinity of Honolulut "The Polymenian man, with his usual vigilance," thought before he spoke and came up safe; the Advertiser's man, with cognize liquor to be merchandise, and tax it ad valorem. ent bottom of the harbor with that of-say 1500 years view of the question, for land that is not properly Our cottemporary is blowing over a cabbage-head, man, with his usual vigilance," thought before he " weighing nearly ten lbs.," which it says was sent to spoke and came up safe; the Advertiser's man, with it. We did not think the sender capable of so keen a womanly garrulity, spoke before he thought and stuck

Royal Hawaiian Theatre.

On Saturday night, last, Mr. Bennett had a Benefit at the above place, which we regret to say was not very lucrative, according to appearances, but was very amusing and highly appreciated, to judge by the applause bestowed. The play was Conway's fine Drama of "The Dumb Girl of Oran ;" Miss Granice as Sentenella, Mr. Beatty as Abdel Kader, Mr. Bennett as

"The Dumb Girl" is not an easy role, least of all to a woman, but it was both truly and well rendered by Miss Rowena. The interview and release of Abdel Kader from prison was one of those fine pieces of acting which make amends for many short comings; and the scene with Ali Bashaw, when through the intensity of her emotions Sentenella recovers her speech, was true, was touching, was grand. A dumb girl pleading to a brute is not one of those events whose characters may be found and studied in the parlour or on the pave. Ordinarily there is a kind of relief to insulted beauty or outraged virtue, at the darkest hour of trial, in their ability to speak, to plead with the oppressor, to curse the tyrant or invoke an avenger; but to a dumb girl even this relief is denied, and, in situations where the others may nurse their courage or harbor a hope, the agony of conscious hopelessness, the battle against destiny, as well as against man, imparts to the dumb an interest which it requires a feeling heart to appreciate truly, a consummate art to reproduce with effect on the stage. We offer no speculations on the heart of a lady, it is her property and not the critic's province; but her art as displayed throughout the play and the two scenes referred to especially, will certainly rank among the highest. It was neither too labored and extravagant, nor yet too timid and defective.

Mr. Beatty, as Abdel Kader, played well and gave some fine touches of true feeling. In this role also struggle of no common nature occurs, and Mr. Beatty seemed to have caught the idea, at least he gave it, very well. The fatalism of the Arab, the unanswerable Allah Akbar of the Mussulman true-believer, are so many educational sinks in which the streams of human passion are lost to view, though they may rage below and harrow the schooled heart with torture ineffable. But the human in man is older, stronger, truer to nature, than any educational bent or bias; and herein we conceive is the difficulty of the role, to know the recise moment when the educational restraints, the fatalistic resignation of a Mussulman scholar, Sheik, and Caliph should give way before emotions that will have air, or burst the heart that holds them.

Mr. Bennett, the beneficiary, played the part of the Barber with great promptness, propriety and care. With more study and that greater experience of the world which age and travel confers, Mr. Bennett will one day attain a high place among low comedians.

Having thus mentioned those of the principal characters who, in our opinion, deserve a favorable notice, we cannot in justice overlook the great negligence of those who were not posted in their roles, and through whose carelessness some of the finest scenes were seriously marred. If the manageress-doomed to silence by her role on the stage-did not give vent to her feelings behind the scenes, she must be a grand daughter of Job and patience be an heirloom in the family.

Second Sight.

The New York Courier and Enquirer of Dec. 10, as its issue-the clipper ship Flging Eagle was off Chincoteague &c. We are not aware that any telegraph tell him that the murder and mischief here represented wire is laid between New York and Chincoteague, and if there were, we do not know how the notice could arrive two days in advance of actual time. Will the Advertiser explain?

CORRESPONDENCE.

TO THE EDITOR OF THE POLYNESIAN.

Sin :- I am one of those who have so much to do with their hands that they have not much time left them to indulge their heads. But being a "constant reader for many years," as the saying goes, I see that they are not among the "Commandments of take upon me to address you for this once, and there an end of it. The problem that I have been trying to work out, is that " Act to promote Fencing," as it appeared in your last No. Against some of the ctions I don't find much to say, but as soon as I come to put my eyes on section four, I feel as if I had got out of my depth. It is my firm conviction that the intentions of the Congress-man who wrote out that article were genuine and honest, but you know the place that is paved with good intentions, so no more of that. With you permission I will take and copy out No. 4, for it may not be every body that like me keeps your valuable paper on file. It runs in this way :

Sec. 4. In all cases where, in the opinion of the Commissioner, it is inexpedient to establish a fence between adjoining the scarcity of fencing material, or the confliction rights of the land owners, said Commissioners shall, up a the ration of either of such owners, decide how man mais each shall be at liberty to pasture upon his land, under enalty to be specified by the Commissioners, a certified by of whose decision, filed with any District Justice of the district, shall, upon satisfactory proof of a violation thereof, entitle the eggrieved party to judgment and execution as in civil cases, for so much of the penalty as such Justice shall

Now, Colonel, I have taken so much trouble as to look into Dr. Webster's unabridged to see what that word "inexpedient" may happen to amount to, in case you are one of those who trust more to the dictionary in your head than the one on the bookshelf. I will give it to you as it occurs in the words of the genuine lexicographer, the one who beat old Johnson, LL.D. and put him out of print. "INEX-PEDIENT. Not expedient; [that by matter of course;] not tending to promote a purpose; not tending to a good end; unfit; improper; unsuitable to time and place. Whatever tends to retard or deleat success in a good cause, is inexpedient. What is expedient at one time, may be inexpedient at another." Whereby that word seems to be one of the dubious ones. As between you and me (for sake of example, for Moses knows, as I sit here, that there is nothing uncomfortable between us as I know of) the place is the boundary line, and as to time I have as much right to my time as you have to yours. Concerning the time, I may say there's no time like the present. "But," say my Lords Commissioners, "this gentleman your neighbor is rather short just now; best wait till he hears of his venture to California, or leastways till his son comes back from British Columbia with the swagg, which this gentleman your neighbor confidently expects." In the meantime want to get things hurried up, and not to be called out at nights to guard the line, like an army Colonel in Florida. But I am met by the Commissioners, who say that what is expedient on Ashburton's side of the line, is inexpedient on Webster's. So I have got to wait till my neighbor finds it expedient to leave me my land to myself. Perhaps the Commissioners ill tell me that it would be the ruivation of him to aild half of a wall which being built would be the making of my fortune. He being a lazy fellow, or a big gentleman, may have half his land covered with burrs and hooe, and his cattle coming over my nice bit of grass may do me more harm in one year than would weigh against all his receipts. A man must not look only to what outside animals take off his land, but to what they leave on it. Then again, I may have an imported stud horse, or a bull that would not miss the second prize at any state fair to the dietates of his own conscience. home-what then, the first thing that I know, the name may be among n.y cows, and a pretty show of noying manner in consequence of the statute in question. wards! My opinion is just this, that if a man can't rived from the Bible are of the opinion that pure religion finds

But after all the worst part of the article is this, that after the Commissioners (who have been on the ground' have formed their own arbitrary opinion, which has been concurred in by the Judges (who have not been on the ground) you have nothing to do but to submit to the decision of the three autocrats. You cannot say, I insist on a fence; I shall be ruined if there is no fence. It appears that the ruinations of the gentleman on the other side is the only matter of inexpediency that is to be taken into

account. It would seem as if the wealth of the state was to be subjected to a system of under-drainng ; that the water-table is to be fixed low enough to assist people who are swamped, and that people who stand a little higher must be drained to their

Another thing. I don't believe in anybody (Commissioners or no Commissioners) telling me how many animals I shall run on my land. If I am allowed to have the absolute use of my land by forcing my neighbors to join me in fencing it off from his, I may so improve my grass and nurse my water as to make one acre of mine worth two of his. And by so improving my land I do the country a benefit, Whereas, if we are to run our animals in common upon a basis adopted by the Commissioners, founded upon the quantity and quality of each man's pasture at the time they were called to give an opinion, there would be very little encouragement for me to improve my property at my own labor and expense, knowing that somebody else was to share in the result of my capital and industry, proportionally with myself. For it is not likely that any one who is too improvident or too lazy to fence, will do anything

else to enhance the value of his property. I write these remarks, hoping that the inelegancy of my style may be excused. If I am all wrong, as I may be, I hope somebody will give me a wigging.

P. S .- Begging your pardon, but I had like to have let slip two of my strongest points. First, let me ask how long this decision about you running so many cattle, and me so many, is to last. "It may be for years, or it may be for ever!" Number two. Do you think two dollars each to the Commissioners, with a little mileage for every decision is enough to nduce them to go over one's land thoroughly, so as to understand (even in a happy-go-lucky way) how much stock it ought to earry? I know of some runs that I would not decide on conscientiously in less than a week. Two dollars a week and mileage! Who'll go in for nomination to office?

TO THE EDITOR OF THE POLYNESIAN.

Sin: Your worthy neighbor, The Friend, of this late, repeats its old list of "Places of Worship" in Honolulu, including only the "Seamen's Bethel," "Fort Street Church," "Methodist Episcopal Church," . King's Chapel" and "Smith's Church." I wish to require of Brother Damon, whether, in his judgment, the list is complete. The secular papers mention a " Catholic Church" on Fort Street, near Beretania. But perhaps there is nothing of the sort in Honolulu. Religious papers ought not to be given to lying, either directly or by implication, and I am, therefore, rather inclined to the view that the " Scarlet Lady" has no abiding place in the Hawaiian Islands. But there is a difference of opinion on the subject. Some persons of the sea-going profession, are inclined to think that there may exist an insignificant institution called the " Catholic Church," which the The Friend has forgotten, or chooses to ignore. This, however, is a matter of very great doubt. The Friend prescribes the places where sailors may wo, ship, and is not that enough?

No one can accuse the amiable Editor of The Friend of a "suggestio falsi," but has he not, through forgetfulness, or secturian zeal, fallen under the imputation of a "suppressio veri?"

TO THE EDITOR OF THE POLYNESIAN.

Sin: An article signed E. T. D., in the last Friend, is headed "What Tobacco will do." It is utterly below notice for any thing excepting its extreme absurdity had not existed in destroying at once the taste of savages for the relish of tobacco-the lives of two men might have been saved, and the safety of two others not imperilled quoted and endorsed by the Advertiser, reports that on | whom the natives would not credit in their affirmation the 12th inst., " (the 12th of Dec.)-two days after of not possessing the coveted property. Of course, tobacco encouragers are responsible for all this. Now how is it this writer's common sense could not

might have been prevented by the rigid tobacco-eschewing Captain of the vessel which landed them on the island furnishing them with enough of it to gratify the savages for the moment in a very natural indulgence pertaining to them, and which we believe no Christian church has yet expelled its members for in any civilized community? And would it not be more in unison with Christian usage to direct the energies against immoralites instead of against matters of individual taste and preference? We suspect the Apostle Paul and others of his age did not form parties of this kind among his disciples, and run the risk of a constant reaction, for when they get enlightened they soon the Lord," and cannot, for the life of them, understand why they should not have their way and choice in all things as well as their teachers. We need only look at this morbid, oblique kind of science of morals to wonder why the Friend is so apt to adopt it in its ready columns. Why not head an article " What Money will do," and then leave an inuendo against its use and existence-for in the same sense it is able to do infinitely more than tobacco-and might have, as probably, been called for by these savages, as tobacco, had the thought

occurred at the time. Feb. 2, 1859.

HAWAIIAN LEGISLATURE. ADJOURNED SESSION 1858.

House of Nobles.

JAN. 28th, TWENTY-FIFTH DAY .- Prayer Minutes read and pproved. The House proceeded with the Civil Code, and pass-d sections 784 to 754 inclusive, the amendments of the House of portant amendments were made. Adjourned.

Jax, Sist, Twenty-Sexus Day,-The act to provide for the resaiding and repairing of bridges in the District of Kona, Oalu, ras read and referred to Committee of the Whole. The Comsittee rose and reported recommending a tax of one instead of two dollars on each male adult, the payment of which should not, however, exempt him from his liability to the road tax of 1859: ing a new subdivision of section one imposing a special tax of fifty cents each on all horses, mares, nules and asses owned in the District of Konn, Onhu. The House adopted the report, and the bill passed its final reading. Adjourned.

FER. 1. TWENTY-SEVENTH DAY,-There being no business to rocced with the House adjourned.

FEB. 2nd, Twenty-Eighth Day .- Prayer, Minutes read and approved. It was resolved, if the other House concurred, to appoint a Joint Committee of One from each House to secure exact uniformity between the English and Hawaiian verions of the Civil Code, with power to employ the services of Nominated Gov. Nahaolelua. A message from the House of Representatives transmitting sections 792 to 1273, inclusive, of the Civil Code, with amen ments. The House proceeded with that business, and worked its way through all the above sections, striking out sections 797, 798 and 801—concurring also in all the amendments of the other House but that in section 948, and referring them to the above named Joint Committee on uniformity. A new section was introduced to be numbered 796; which, substituting "House of Nobles" for "House of Representatives," is an exact counterpart of section SG. The word "Marshal" sub-stituted for "High Sheriff" wherever the latter occur. Ad-

House of Representatives. JAN. 28, FORTY-SIXTH DAY .- A communication was received

om the Nobles, transmitting the Fencing Act, concurred in by hem with a slight amendment. The amendment was concurred Mr. Low, from the Committee to translate the petition from Hilo on the Sunday law, reported the same in the native language. The English reads as follows:

Islands, in Legislative Council assembled: We the undersigned, residents of the Island of Hawaii, respec fully represent that the statute now in force prohibiting labor on the Sabbath is attended with no benefits, temporal, moral or religious, but on the contrary, is productive of much cvil.

We know that advantage is frequently taken of said statute by the worst persons as a pretext to annoy, to curry favor or for uniary gain. History teaches that this law came into vogue out three hundred years after the birth of our Savior, and that It finds no warrant in his teachings. That it originated in a desire to further a particular creed, and that it is at this day in the nature of a special statute to foster sectorian interest, hence it is contrary to the broad principles of law established in this sing-

To the House of Representatives or Nobles of the Hawailan

As many of the undersigned as have no sympathy for the creeds 's illegitimate representative of a misapplied derived from the Christian Bible, feel that their rights are trenching be among now cows, and a pratry show of

dom, which permit every individual to worship God according to

labors of the Land Titles office, B's rights could not commence till A's had ceased. As for over-lapping, and all that sort of bother, I made a guess it had exploded.

crated to rest is a conceded fact, hence, if one part or the original law is enforced, it is the opinion of your petitioners that the other part ought to be enforced also, and if one part is left to the free observance of mankind, the other part ought to be also. In short, your petitioners are fully persuaded that the law in question, as now standing in the statutes at this kingdom, is useless

as a helper to pure religiou, that it is productive of hypocrisy and immorality, that it is injurious to temporal and spiritual in crests, and that its antiquity fails to hallow it, or any other

Trusting that your honorable body will take the above prayer into serious consideration and grant relief, so your petitioner in duty bound, will ever pray." Here follows 19 signatures. Referred to the Committee on the Judiciary.

ORDER OF THE DAY. The House went into Committee on the Civil Code, and resumed | the one and the other, we quote from the Message the consideration of the Department of the Judiciary. Having passed as far as section 1041, the House adjourned.

JAN 29, FORTY-SEVENTH DAY,-Mr. Kipi offered a resolution that the sum of \$300 be inserted in the appropriation bill for the purion in the world. The reason for this may be found in the fact, pose of repairing the bridge of Wailon, at Hilo. Adopted. The Speaker laid before the House a communication from the linister of Foreign Relations, with two enclosures Mr. Robertson moved that these documents be referred to the committee on Finance, as particularly relating to the revenue. "But its acquisition and settlement by our poor He also moved that the Minister of Foreign Relations be request- ed the attention of the commercial world to the ed to favor the house with a copy of his answer to the foregoing our harbors. Immediately after followed the discovery of dispatches of the American and British Commissioners. Adapted, and the correspondence ordered to be published. ORDER OF THE DAY.

The House went into Commistee on the Civil Code. Having sed as far as section 1084, the Committee rose and the H JAN. 31. FORTY-ETORTH DAY .- Petition from Kan, for a hospital; for \$250 for a Court House; that wheat growers be exempt for the school tax; for \$2,000 for a road into Kona. Referred, Also from Lahnina, 60 signatures, against the granting of spirit licenses at that place. Beferred.

ORDER OF THE DAY. The House went into Committee of the Whole on the Civil Code, Chapter 21, "Of the Prevention of Frants;" Tassed as far as section 1178, when the Committee rose, and the House ad-

FER. I, FORTY-NIXTH DAY .- In Committee of the Whole, Mr. litchcock reported several new sections on the subject of passports. After a short discussion the subject was rec ie House resumed the consideration of the Civil Code. Having got as far as section 1273 the Committee rose, and the House ad-

FEB. 2, FITTISTS DAY .- The House resumed the subject of the Civil Code, "Department of the Judiciary." The various secions, prescribing the practice of courts, were passed up to 1305, when the Committee rose and the House adjourned.

FER. S, FIFTT-First Day,-Mr. Sheldon, as a minority of the Committee on the petition of William Jarrett, reported in favor of paying him some \$11,000. Ordered for Committee of the Mr Robertson gave notice of intention to introduce a bill to

acilitate inter-island navigation.

A message was received from the Nobles, stating that they had appointed a Committee of One to compare the two versions of the Civil Code, so far as passed by the two Houses. Judge Robertson was appointed by the Speaker on the part of this House.

ORDER OF THE DAY.

FEB. 4, FIFTY SECOND DAY .- A message was received from the Secretary of the House of Nobles transmitting, as amended by them, the bill to provide means to rebuild the bridges destroyed in this district in the late freshet. The Nobles had concurred in the said bill with the following amendo-Instead of \$2 on each male inhabitant, a tax of \$1 each; insert the words "But the foregoing tax shall not be construed to apply to persons exempted from taxes under the act relating to the Fire Department;" and a new subdivision was added to the first section, to read as follows-" V. Upon all horses and mares a tax of fifty cents each, and upon all mules and cal position. From the Northern to the Southern wi The bill was ordered for to-morrow in Committee of the

OUDER OF THE DAY.

The House went into Committee on the Civil Code. Sections 1,324 to 1,366 were passed without any important amend-ments, when the Committee rose and the House adjourned.

[Printed by order of the House of Representatives.] FOREIGN OFFICE, Jan. 27, 1859.

Sin: - I have the honor, on behalf of the King's Government, o submit to you for the cognizance of the Hon. House over which you so worthily preside, a copy of a dispatch from the Hon. Commissioner of the United States, dated 24th inst., in which he demonstrates the incompatibility of a fixed duty pe illon on spirits with the provisions of the treaty with the United

States, and suggests an ad colorem duty.

I enclose also copy of a dispatch from the Acting Commissioner and Consul General of II. B. Majesty, dated 25th inst., in which he takes similar grounds in regard to that fixed duty, determined by measure, and not by first cost, as it affects British spirits. In view of the inequality complained of by both Commissioners the King's Government rely upon the wisdom of the Legislature to take the subject into their prompt and careful consideration.

With the highest respect to you and to the Hon. House of which
you are Speaker, I have the honor to be, Sir,

Your most ob'dt humble serv't, R. C. WYLLIE. J. W. Austin, Speaker of the Hon. House of Repr-

LEGATION UNITED STATES, & the duties now imposed on spirituous liquors imported into this

am induced to do so at the present time for the reason that the Legislative Council of your Government is now in session and it is understood that the laws regulating your system of du ties on imports are to undergo a revision during the present ses-By the 2d Article of the Treaty between the United States and H. H. Majesty of the 20th December, 1949, it is stipulated among other things that "the United States of America and his Majesty

the King of the Hawalian Islands, do hereby engage that the ects or citizens of any other State shall not enjoy any favors, vileges or immunity whatever in matters of con the subjects or citizens of the other contracting parties." This By its terms, the Hawatian Government is bound to place the

United States on a parity of right and privilege with the most The existing law imposes the same duty of five dollars on a len of American whisky which can be delivered at the port of Monolulu for sixty or seventy cents a gallon, that it imposes on a gallon of French brandy, which costs, delivered here, not less

han three dollars a gallon.

The idea of parity is unterly inconsistent with special favors to aware of the fact) that this law has worked very unequally and minstly against the interest of the United States. I flatter myare you will unite with me in saying that by tiple of justice H. H. Majesty's Government should place th two Governments of the United States and France on an conslity y modifying a system that concedes to France such a decided advantage over us in this article of trade The treaty lately negotiated between H. H. Majesty and the Emperor of the French, if ratified, will reduce the duty from \$5 to \$3 per gallon on French brandy, which will not be a duty on that article equal to one hundred per cent.; and I respectfully submit whether in the enactment of the new tariff, the duty on spirituous liquors, the manufacture of the United States, should

of he reduced to an oil reducem duty not exceeding one hun I forbear to make any comments or going into a further argu-Government has only to be called to the subject to admit the j tice of the position I take, and to remedy the evil complai

nguished consideration with which I have the honor to be, Sir, your ob't serv't,

JAMES W. BORDEN.

His Ex. R. C. WYLLIE, Minister of Foreign Relations.

H. B. M.'s CONSULATE GENERAL, I Honolulu, Jan. 25, 1859. Six :- Having been given to understand that the present tariff s about to undergo revision, I do myself the honor of addressing

you on the subject of the duties imposed upon spirits of Britis As those duties have been regulated, Britain has not reamed the wich Islands of the 26th March, 1846, and of the leth July, 1851. the latter now in force, which guaranteed to British prod same advantages as were given to those of the most favored na-

For example, French brandy is allowed to be introduced on

aying the same duty as is paid by English gin, viz; five dollars The cost here of French brandy out of bond is from three and half to four and a half dollars per gallon, whereas English gin can be supplied for one dollar per gallon; yet both pay the same duty, by which the English article is made to suffer in the ratio difference between the prime cost of each,

he treaty between France and the Hawaiian Islands, lately ratified, comes into operation, as the 10th Article of that treaty reduces the present duty of \$5 a gallon on French brandy to \$3 a I feel it my duty, Sir, to request the consideration of the Ha-

watian Government to the above facts, with a view of obtaining some alteration, fair and equitable to all, in the present mode of regulating the duties on spirits.

With every confidence that this application will receive the first attention of yourself and of the Legislature, I have the honor to Your most ob't humble serv't.

B. TOUP NICOLAS. His Ex. R. C. WYLLIE, Minister of Foreign Relati-

Honolulu, 1st February, 1859. Sin:-I have the honor to acknowledge the receipt, this morning, of your note of the 29th January, requesting, under authority of a Resolution of the Honorable House of Representatives, copies of my replies to the despatches from the Com-

You will find herewith copies of the two answers desired by the Honorable House of Representatives, With the highest respect to them and to yourself I have the (Signed.) R. C. WYLLIE.

you with my note of the 27th uit.

Honorable JANES W. AUSTIN.

sioners of Great Britain and the United States, enclosed to

Speaker of the Hon. mouse of Representatives, &c. &c. DEPARTMENT OF FOREIGN RELATIONS, Honolulu, 28th January, 1859 Six :- I have the bonor to acknowledge the receipt of your lespatch, No. 8, of the 24th instant, shewing how unequalty present duties on spirits apply to American as compared

aker of the House of Representatives, for their prompt and Assuring you of my high respect and very distinguished consideration, I have the honor to be, Sir. Your most obedient humble servant, R. C. WYLLIE. Hon. JAMES W. BORDEN,

Commissioner of the United States, &c. &c.

with those of France, and to state that it was laid before the

King and his Cabinet yesterday, and that, by their direction, a copy has been sent officially, this morning, to the Honorable

DEPARTMENT OF POREIGN RELATIONS, No. 2. Srn :- I have the honor to acknowledge the receipt of your despatch, No. 1, of the 25th instant, shewing how unequally the present duties on spirits apply to British as compared with those of France, and to state that it was laid before the King and his Cabinet yesterday, and at their direction a copy has been sent officially, this morning, to the Honorable House of Representatives, for their prompt and careful consideration. Assuring you of my high respect and very distinguished consideration, I have the honor to be, Sir,

Your most obedient humble servant. R. C. WYLLIE. B. T. Nicolas, Ern., H. B. M.'s Acting Commissioner, &c. &c.

COMMERCIAL.

Governor John B. Weller of California, in his annual Mes. age to the Legislature, takes up the Whaling interests of Son Francisco (?) with apparently a long pull-certainly a strong one-and if talking and legislating could bring the whalers there the Governor's Message and his proposed measures would so he to effect that much coveted consummation. As a sample of bone

"For more than half a century our whaling fleets have been ned to refit at the Sandwich Islands-although during that period the hurbors of California were known to be during that time the people of this coast had but very him numerical relations with our Atlantic possessions. Distant from a centre of Government, its advantages scarcely known, Call "But its acquisition and settlement by our people soon attra

ed by the richness of our mines, soon left them unmanne frequency of desertion at that time prevented whalers to ng our ports, as it was a matter of uncertainty should obtain sufficient crews to take them out again. ited with the then high cost of supplies, port charges, the facilities for repairs, and exposure to vexatious law v need this immense interest to rendezvous at the Sandwis-ands. Some of the difficulties which existed a few years ave been removed, to a great extent, by time and legisla and at the present moment our ports offer greater indicates the depot of the whaling fleets, than the Island ports Pacific. The pilotage has been reduced to a mere nomine one dollar per foot on draught of water. Our coast is a th light-houses, and the dry dock at Mure Island pressing but little higher than in the Atlantic States, the beses for repairs; while seamen can always be found to ship ring but little from those obtaining elsewhere Francisco supplies of every description necessary for Islands. The apprehension that sailors may desert is a imaginary than real. It is a notorious fact that in the San Francisco sufficient numbers of seamen can be obtain my voyage. Within the past few years no vessel has en ed serious difficulty in leaving that harbor for want of a erew. It is quite probable that heretofore difficulties he thrown in the way of ship-masters, and temptation present camen to desert, but these causes have been puri York, may be wholly obviated. This may be ac Peace, in conformity with the Act of Congress of 20th to o effect this object, an Act should be passed authors; opie of San Francisco to vote for one Justice of the Pen ould be styled Judge of the Marine Court, and for e would be required to perform in this capacity, he should ive a reasonable compensation from the State.

We read history, the philosophy of trade, and especially the facts in this case, a little different from the Governor. We thin that no legislation will make San Francisco the whaling denoted The House then proceeded to resume the consideration of the livil Code. Sections 1305 to 1323 were passed. Adjourned. Eastern States, unless it be that legislation which will make Car. fornia a foreign country; and we think that would be paying a ther dear for the whistle. This may seem an income paradox to the worthy Governor, but is true and intelligible all who know more about whaling than he seems to do. v. even were Honolulu and San Francisco equal in every other n spect, there would be still one preponderating fact for the forms which no legislation could confer on the latter, vig : its gregram grounds, and vice versa, the track is straight, the situation tral. There is probably another reason, but which, as it is feets ed on the workings of human nature, can not well come and the cold, statistical calculation of figures, and yet it may have much to do in determining the place of resort of a whaler, is this, that in Honolulu and the Hawailan Islands the whale captains enjoy a social and commercial consideration, where would not and could not, for obvious reasons, be accorded them in San Francisco.

The leading article of the Alta California, January 18, takes up the same subject and the same tone as the Governor. It was that the "establishment of a Marine Court, as suggested by the Weller," would be the bait with which to entice the whaling had to their port. That a Marine Court is a necessary institutes. a large commercial city like San Francisco is very true, le seductive effects upon the whaling fleet are rather ques Our neighbors are welcome to try it on, however; it may be their merchant marine, though it prove a reason de pla beeping the whalers away: lawyers in general and "sea-lawyespecially, being their abhorrence. And when the Court is operation the Alta "expects that the whaling fleet will abands the Islands forever." With such writers it is useless to argue-

The Alta further says, that "it is no argument that S: nication with a view of call- | Francisco at present does enjoy a fair share sin; -1 address to yet the fisheds." It does "not want in the shape of exports to the Islands." It does "not want share of the whaling trade," it is "entitled to the whole and bound to have it, if by legislation" it can be done. In cond ing its article it says:

" In desiring to secure the whale trade for ourselves, we actuated by no feelings of animosity against the Sandwi lands or any group in the Pacific. We hope that Kamel and his descendants may enjoy the throne of Hawaii till the vent of the Millenium, and that the Islands may could grow in prosperity. But we want the whaling trade—not are' of it, nor any other kind of a share, but the whole cought to be ours by all the laws of commerce, and if it can secured by legislation—legislation by which the ship-master enjoy as much protection here as in a foreign port—we are bo to have it."

That is plain speaking, and had "manifest deating" been a pealed to, it would have stopped all argument or remark on subject. But when the Alta appeals to "the laws of comme ses on a | we may be permitted to argue the case, and plead in bar of sentence, that the whaling fleet is not manned from the m service; -- that whales are not caught by "the Rule of Three any other nation, and I need not say to you (who are so well that the furthest way round is frequently the nearest way len particularly if it leads over a cruising ground ;-that whenever mantle will fall not on San Francisco, but on some port in Ladrone or Japan Islands: and that, unless San Vennelses start a whaling fleet of its own, it need not strain its eyes all that of the Eastern States, but should rather turn its after increase and cheapen the supplies which now, through the

But the Alfa "wants the whole of it." Poor boy ! - We have noticed, with anything but pleasure, the inc international comity or international law, that our courts a Allow me to renew the assurance of the high respect and dis- be the special towel for wiping the face of every appellant whence he may; but is it not contrary to our own advanta such should be the case? Politically we are neutral ground mercially we are a hostely in the Pacific; in either case it is traveler's being imposed upon by our subjects or chiselling

> es, arising either from petty accounts or from petty moti The Consuls of foreign nations, we believe, have discreelst may they not also be entrusted with authority to settle on board of said vessels, without making this country a padisputes that have not their origin here and can not affect to any but an unfavorable manner? We make no motion merely suggest.

> - The following table proclaims its own value without finger-post of ours. It is from the Evening Bulletin, San Francisco, January 17: Statement of Deposits and Coinage at the Mint of the Uni

States and its branches during the year ending June 30th, 18 DEPOSITS. Mint, Philadelphia.....\$ 9,876,842 \$3,337,541 \$13,394, Branch, New Orleans.... 1,148,793 Branch, San Francisco.... 19,123,111 3,306,667 198,388 19,81 Branch, Dahlonega..... 95,614 ranch, Charlotte Assay office, New York... 21,073,582 2,362,857 8,572,401 2,300,302 \$42,921,909 \$6,509,502 \$49,521 Foreign Coin\$1,636,909 23 290,135 01 S. Bullion, Lake Superior 15,623 00 Total silver ouble Engles..... 1,401,944 Eagles..... 99,859 Three Dollars

Quarter Engles..... fine Bars Total Gold 9,085,755 Half Dollars 8,869,000 9,960,000

Gold Coinage 2,085,755 \$50.50 Copper Coinage28,400,600

Total......56,491,655 \$61,857,088

Assay Office, New York